

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LABRYANT KING,)	
)	
Petitioner,)	
)	
v.)	No. 3:03-0572
)	Judge Trauger
WARDEN FRED J. RANEY,)	
)	
Respondent.)	

ORDER

The petitioner, proceeding *pro se*, is a prisoner in the Northwest Correctional Complex (NWCX) in Tiptonville, Tennessee. He brings this action seeking federal *habeas corpus* relief under 28 U.S.C. § 2254. (Docket Entry No. 1)

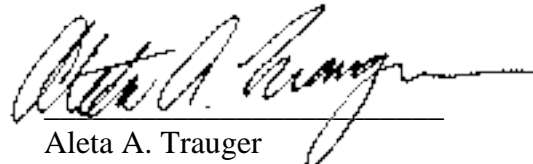
As provided in the Memorandum entered contemporaneously herewith, the petition and the record before the court clearly show that the petitioner is not entitled to federal *habeas corpus* relief. Therefore, the petition is **DENIED** and this action is **DISMISSED**. Rule 8(a), Rules – Section 2254 Cases. The petitioner’s motions for judgment on the pleadings and for summary judgment (Docket Entry No. 96, 98) are **DENIED** as moot.

For the reasons also explained in the court’s Memorandum, should the petitioner file a timely notice of appeal from this Order, such notice shall be docketed as both a notice of appeal and an application for a certificate of appealability, 28 U.S.C. § 2253(c); Rule 22(b), Fed. R. App. P.; *see Slack v. McDaniel*, 529 U.S. 473, 483 (2000), which will **NOT** issue, *see Castro v. United States of America*, 310 F.3d 900, 901 (6th Cir. 2002); *Murphy v. Ohio*, 263 F.3d 466, 467 (6th Cir. 2001); *Porterfield v. Bell*, 258 F.3d 484, 485-487 (6th Cir. 2001); *Lyons v. Ohio Adult Parole Auth.*, 105

F.3d 1063, 1073 (6th Cir. 1997)(overruled in part on other grounds by *Lindh v. Murphy*, 521 U.S. 320, 326-27 (1977)).

Entry of this Order shall constitute the judgment in this action.

It is so **ORDERED**.


Aleta A. Trauger
United States District Judge